IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Bail Appl..No. 2899 of 2007()

(C.R.NO.5/2007 OF EXCISE RANGE OFFICE, PALAKKAD)

PETITIONERS:ACCUSED NOS.1 & 2:

1. **MOHAMMED KASIM, AGED 37 YEARS,**
   S/O.ISMAIL RAWTHER,
   HOUSE NO.10, SHELVAPURAM, COIMBATORE.

2. **SAJI, AGED 34 YEARS, S/O.KUNJU KUNJU,**
   KATHAVARAMBU HOUE, PAZHAVANDI VILLAGE,
   RANNI TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENT:COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE EXCISE INSPECTOR, EXCISE RANGE OFFICE, PALAKKAD, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. V.T.K. MOHANAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

B.A.NO. 2899 OF 2007

DATED THIS THE 18TH DAY OF MAY 2007

ORDER

This is a petition filed under Section 439 of the Code of Criminal Procedure. The petitioners are the accused in Crime No.5/2007 of the Excise Range, Palakkad. The offence is under under Section 55(a) of the Abkari Act on the allegation that they were in possession of 20 Cans containing 50 liters of spirit. They are in custody since 22.03.2007.

2. Heard both sides.

3. It is hereby ordered that the petitioners shall be released on bail on executing bond for Rs.25,000/- each with two solvent sureties each for the like sum to the satisfaction of the J.F.C.M., Palakkad. and on condition that they will not get involved in any offence of a like nature and that they shall not in any manner interfere with the investigation. The petitioners are directed that they shall report before the investigating officer on every Friday at 10.a.m. until the final report is filed.

The Bail Application is allowed.

K.R.UDAYABHANU

rv **JUDGE.**